

Optional Farm Family Coverage Industry Sector 1: Agriculture & Forestry

Farmers and their family members of farmers are exempt from mandatory coverage. (Please refer to relevant exclusion excerpt from the Workers Compensation Act ("WCA") under Regulation 169/2008 below).

Optional coverage for farm families is available for those employers who are engaged in work described in the following industry descriptions:

- 102-02, "Farming - Crop Production"
- 102-03, "Farming Livestock NEC"
- 103-02, "Hog & Poultry Farming"
- 103-04, "Beekeeping & Hatcheries"
- 103-05, "Greenhouses, Nurseries & Market Gardening"

Premiums for this optional coverage will be calculated using the rate of assessment assigned to the appropriate industry descriptions listed above.

Family members of employers in activities that are ancillary to farming are **not** exempt from coverage. Examples of these types of industries include:

- 102-04, "Custom Harvesting"
- 104-02, "Agricultural Services"

Relevant Exclusion(s): Schedule A, Regulation 169/2008, WCA

Farmers and family members of farmers

15(1) A farmer or a family member of a farmer engaged in farming on a farm that is owned or operated

(a) by the farmer, or

(b) by a family farm corporation - being a corporation

(i) That is primarily engaged in the business of farming.

(ii) That is under the control in fact of the farmer, a family member of the farmer or any combination of them, and

(iii) Of which a majority of the issued and outstanding shares of each class of shares are legally and beneficially owned by the farmer, a family member of the farmer or any combination of them.

15(2) The following definitions apply in this section.

"family member of a farmer" means

(a) a spouse or common-law partner of the farmer;

(b) a child of the farmer or a child of the farmer's spouse or common-law partner;

Relevant Exclusion(s): Schedule A, Regulation 169/2008, WCA

- (c) a brother, sister, step-brother, step-sister, uncle, aunt, nephew, niece, grandchild or grandparent of the farmer or of the farmer's spouse or common-law partner;
- (d) a parent of the farmer's spouse or common-law partner;
- (e) a current or former foster parent of the farmer or of the farmer's spouse or common-law partner;
- (f) a current or former foster child, ward or guardian of the farmer or of the farmer's spouse or common-law partner;
- (g) the spouse or common-law partner of a person mentioned in any of clauses (d) to (g);
- (h) any other person whom the farmer considers to be like a close relative, whether or not they are related by blood, adoptions, marriage or common-law relationship.

"farming" means the primary production of livestock, poultry, livestock and poultry products, fruits, vegetables, grains, oilseeds, pulse, forage, market garden or horticultural products or other agricultural products, and includes the cutting of timber or lumber ties, cordwood or pulpwood.

"farmer" means an individual who

- (a) receives a significant portion of his or her income either directly or indirectly from his or her occupation of farming; and
- (b) spends a significant portion of his or her time actively engaged in farming.